

1 Bill No. G-85-09-17

2 GENERAL ORDINANCE NO. G- 25-85

3 AN ORDINANCE amending the Thoroughfare Plan  
4 of the City Comprehensive ("Master") Plan by  
vacating an alley thereof.

5 WHEREAS, a petition to vacate a public alley within the  
6 City of Fort Wayne (as more specifically described below)  
7 was duly filed with the City Planning Commission; and,

8 WHEREAS, said Commission duly held a public hearing  
9 thereof; and,

10 WHEREAS, said Commission has duly forwarded its  
11 recommendation to this body approving said petition, all in  
12 accordance with I.C. 36-7-4-512(2) and this body having held  
13 a public hearing on said vacation as provided in I.C. 36-7  
14 -3-12; and,

15 WHEREAS, this body concurs in the recommendation of the  
16 City Planning Commission.

17 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
18 THE CITY OF FORT WAYNE, INDIANA:

19 SECTION 1. That the petition filed herein to vacate a  
20 public alley within the City of Fort Wayne, more specifical-  
21 ly described as follows, to-wit:

22  
23 Beginning at the southwest corner of Lot 17 in  
24 Schilling's Heirs Addition; thence north along the west  
25 line of said Lot 17, 140 feet to the northwest corner  
26 of said Lot 17; thence west to the northeast corner of  
27 Lot 6 in Fooheys Addition; thence south along the east  
line of said Lot 6 to the Southeast corner of said Lot  
6; thence east along the north line of Sinclair Street  
to the point of beginning.

28 and which vacating amends the Thoroughfare Plan of the City  
29 Comprehensive Plan of the City Comprehensive ("Master") Plan  
30 and is hereby approved in all respects.

31 SECTION 2. That this Ordinance shall be in full force  
32 and effect from and after its passage, any and all necessary

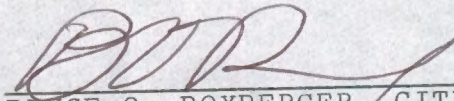


Bill No. G-85-

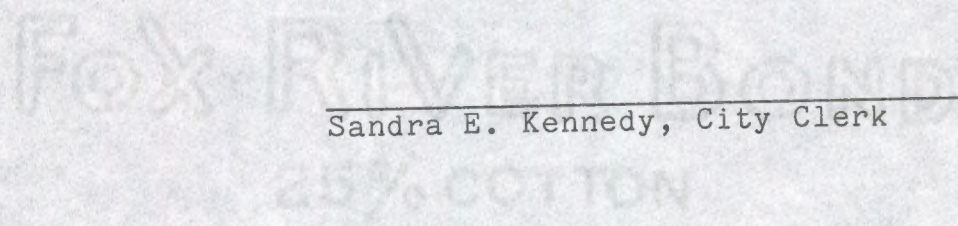
Page two

approval by the Mayor.

  
COUNCILMEMBER

  
BRUCE O. BOXBERGER, CITY ATTORNEY

\*\* Public hearing to be held on \_\_\_\_\_, the  
\_\_\_\_\_ day of \_\_\_\_\_ 1985, in the  
Council Chambers.

  
Sandra E. Kennedy, City Clerk



Read the first time in full and on motion by Redd  
seconded by Dulmus, and duly adopted, read the second time  
by title and referred to the Committee of regulations (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.

DATE: 9-24-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd  
seconded by Dulmus, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: 10-22-85

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as ~~(ANNEXATION)~~ (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 19-25-85  
on the 22nd day of October, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 23rd day of October, 1985  
at the hour of 11:30 o'clock P. .M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of October  
1985, at the hour of 3:30 o'clock P. .M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



PETITION TO VACATE NORTH-SOUTH ALLEY BETWEEN  
1614 AND 1628 SINCLAIR STREET, FORT WAYNE, INDIANA

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The Undersigned hereby respectfully petitions the Plan Commission of the City of Fort Wayne to vacate the following portion of alley located in the City of Fort Wayne, Indiana, and described as follows:

Beginning at the southwest corner of Lot 17 in Schilling's Heirs Addition; thence north along the west line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west ~~to~~ to the northeast corner of Lot 6 in Fooheys Addition; thence south along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street ~~to~~ to the point of beginning. (Area to be vacated is shown on attached Exhibit "A" which is incorporated herein and made a part hereof.

In support of this petition, the petitioner represents:

1. That petitioner and Jerry McDermott, the owner of Lot 6 in Fooheys Addition (commonly known as 1628 Sinclair Street, Fort Wayne, Indiana), who has also signed this petition, are the owners of all of the real estate which borders each side of the alley which petitioner proposes to be vacated.

2. That the alley is not necessary as ingress or egress to any other real estate and causes a hazard due to outside traffic using same as a short cut.

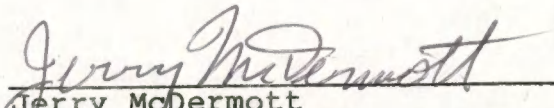
3. That no other person, firm, or corporation, except public utilities is interested in or will be adversely affected by the requested vacation; petitioner agrees to reservation of an easement for utility purposes.

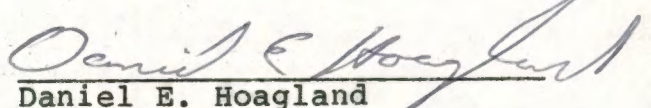
4. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and such vacation would be in the best interest of the City of Fort Wayne and the citizens thereof.

Petitioner files this petition pursuant to the authority granted in IC 36-7-4-512.

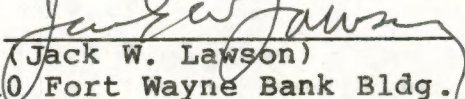
WHEREFORE, petitioner prays that the above described alley be vacated.

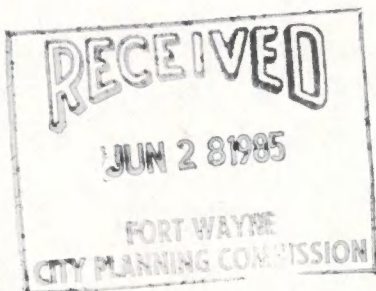
DATED THIS 28 DAY OF JUNE, 1985.

  
Jerry McDermott  
(Adjacent Property Owner)  
5205 Sherington Road  
Fort Wayne, Indiana 46804

  
Daniel E. Hoagland  
(Petitioner)  
1614 Sinclair Street  
Fort Wayne, Indiana 46808

BECKMAN, LAWSON, SANDLER,  
SNYDER & FEDEROFF

By:   
(Jack W. Lawson)  
2110 Fort Wayne Bank Bldg.  
Fort Wayne, Indiana 46802  
Telephone: (219) 422-2561  
Attorneys for Petitioner





CERTIFICATE OF SURVEY

FILE OF:

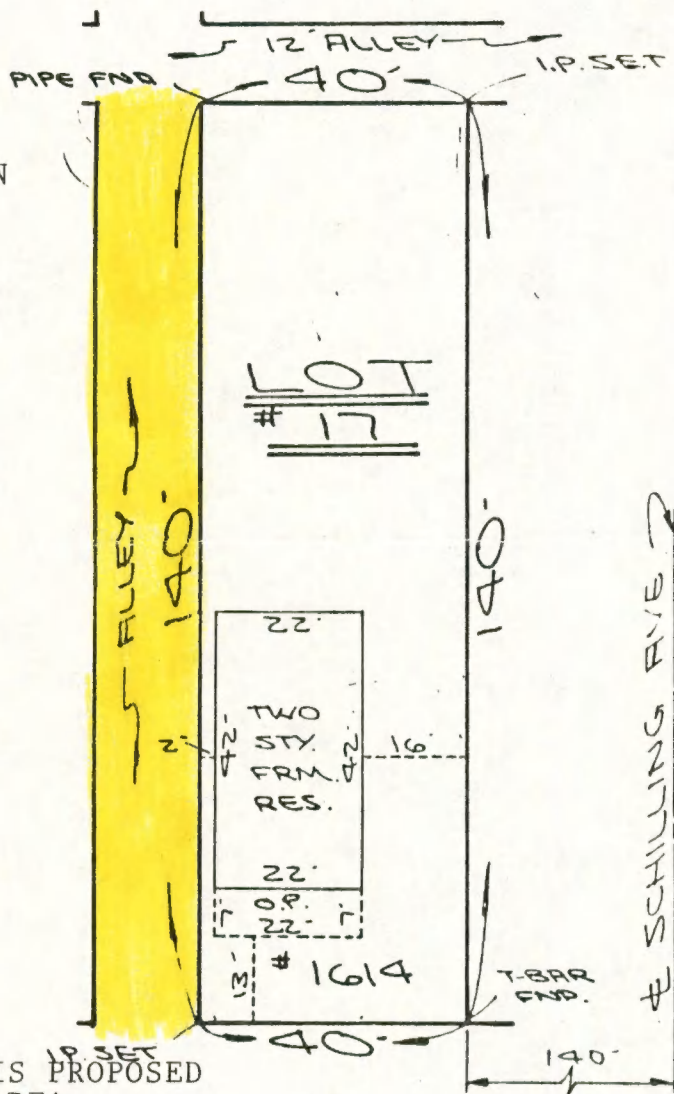
JOHN R. DONOVAN  
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA  
REGISTERED LAND SURVEYOR No. 9921 INDIANA  
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Lot #17 in Schilling Heirs Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.

LOT NO. 6  
FOOHEYS ADDITION



HIGHLIGHTED AREA IS PROPOSED  
ALLEY VACATION AREA

NOTE: According to the FIA Flood Hazard Boundary Maps, the above described real estate is not located in a flood hazard area.

FOR: HETRICK - HOAGLAND

1-30  
9-2276

EXHIBIT "A"

JOHN R. DONOVAN



R E S O L U T I O N

75-106-9

WHEREAS, DANIEL E. HOAGLAND and JERRY MCDERMOTT have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley situated in Fort Wayne, Allen County, to-wit:

Beginning at the southeast corner of Lot 17 in Schilling's Heirs Addition; thence north along the West line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Foohey's Addition; thence south along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held September 25, 1985 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 25<sup>th</sup> DAY OF September 19 85

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester  
David J. Kiester

Director of Public Works

Cosette R. Simon  
Cosette R. Simon  
Director of Administration & Finance

Lawrence D. Consalvos  
Lawrence D. Consalvos  
Director of Public Safety



R E S O L U T I O N

WHEREAS, DANIEL E. HOAGLAND and JERRY MCDERMOTT have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley in Fort Wayne, Allen County, to-wit:

Beginning at the southeast corner of Lot 17 in Schilling's Heirs Addition; thence north along the West line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Foohey's Addition; thence South along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 16, 1985 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said alley.

WHEREAS, said vacation of alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said alley in Allen County, Indiana.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN )

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held September 23, 1985 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 24 DAY OF Sept 19 85

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Melvin O. Smith  
Secretary

check #338

## RECEIPT

COMMUNITY DEVELOPMENT &amp; PLANNING

No 12034

FT. WAYNE, IND., 6/28 1985

RECEIVED FROM Daniel Hoagland \$100.00

THE SUM OF One Hundred &amp; 00/100 — 100 DOLLARS

ON ACCOUNT OF vacation - alley Sinclair

1614

B. Steele

AUTHORIZED SIGNATURE





# The City of Fort Wayne

October 4, 1985

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of October 9, 1985, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-85-09-17  
Alley vacation

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



NOTICE OF PUBLIC HEARING

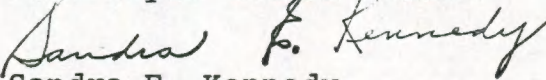
BILL NO. G-85-09-17

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, October 22, 1985, at 7:00 P.M., (EST) Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Beginning at the southwest corner of Lot 17 in Schilling's Heirs Addition; thence north along the west line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Fooheys Addition; thence south along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning.

All persons are invited to appear and be heard.

Fort Wayne Common Council



Sandra E. Kennedy  
City Clerk



October 4, 1985

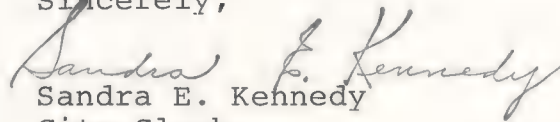
NOTICE OF PUBLIC HEARING ON BILL NO. G-85-09-17

Your are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, October 22, 1985, at 7:00 P.M. (EST) in the Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Beginning at the southwest corner of Lot 17 in Schilling's Heirs Addition; thence north along the west line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Fooheys Addition; thence south along the east line of said Lot 6 to the southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Sincerely,

  
Sandra E. Kennedy  
City Clerk



# NOTICE OF PUBLIC HEARING

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, September 16, 1985 at 7:00 P.M. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on the proposed vacation of a dedicated public alley more particularly described as follows.

Beginning at the southwest corner of Lot 17 in Schilling's Heirs Addition; thence north along the west line of said Lot 17, 140 feet to the northwest corner of said Lot 17; thence west to the northeast corner of Lot 6 in Fooheys Addition; thence south along the east line of said Lot 6 to the Southeast corner of said Lot 6; thence east along the north line of Sinclair Street to the point of beginning.

All persons are invited to appear and be heard.

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Secretary



Notices sent to:

AGENT: Jack Lawson / 2110 Fort Wayne National Bank / 02

Jerry McDermott / 5205 Sherington Road / 04

Daniel E. Hoagland / 1614 Sinclair Street / 08

Hamilton Neighborhood Assn.

Ms. Gerry Deal, Pres.

914 High Street 08

Chas Alvather / 1638 Sinclair Street / 08

Anthony Berghoff / 1609 Third Street / 08



CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

6 September 1985

NOTICE OF PUBLIC HEARING ON VACATION OF PUBLIC RIGHT-OF-WAY

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, September 16, 1985 at 7:00 P.M. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on the proposed vacation of the following described dedicate public right-of-way.

Portion of a North-South alley lying between Sinclair, Third, Rumsey and Schilling.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Plan Commission Office prior to the hearing.





# The City of Fort Wayne

October 4, 1985

## NOTICE OF PUBLIC HEARING ON BILL NO. G-85-09-17

Your are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, October 22, 1985, at 7:00 P.M. (EST) in the Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

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All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Sincerely,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk



Fort Wayne Common Council  
(Governmental Unit)  
Allen County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines  
Head number of lines 2  
Body number of lines 15  
Tail number of lines 3  
Total number of lines in notice 20

COMPUTATION OF CHARGES

20 lines, 1 columns wide equals 20 equivalent lines at .300¢ \$ 6.00  
cents per line  
Additional charge for notices containing rule or tabular work (50 per cent of above amount)  
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 copies 1.00  
TOTAL AMOUNT OF CLAIM \$ 7.00

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point  
Number of insertions 1 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Oct. 9 19 85

Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:  
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 10/9/85

NOTICE OF PUBLIC HEARING  
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All persons are invited to appear and be heard.  
Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk

10--9

Subscribed and sworn to me before this 9th day of October 19 85  
Anne M. Perkins Notary Public

My commission expires November 29, 1985

Fort Wayne Common Council  
(Governmental Unit)  
Allen County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

2

15

3

20

COMPUTATION OF CHARGES

20 lines, 1 columns wide equals 20 equivalent lines at 300¢ \$ 6.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00

TOTAL AMOUNT OF CLAIM \$ 7.00

DATA FOR COMPUTING COST

Width of single column 12.5 picas

Size of type 6 point

Number of insertions 1

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Oct. 9, 19 85

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows: 10/9/85

Subscribed and sworn to me before this 9th day of October, 19 85

Anne M. Perkins Notary Public

My commission expires November 29, 1985

NOTICE OF PUBLIC HEARING  
BILL NO. G-85-09-17  
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All persons are invited to appear and be heard.  
Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk



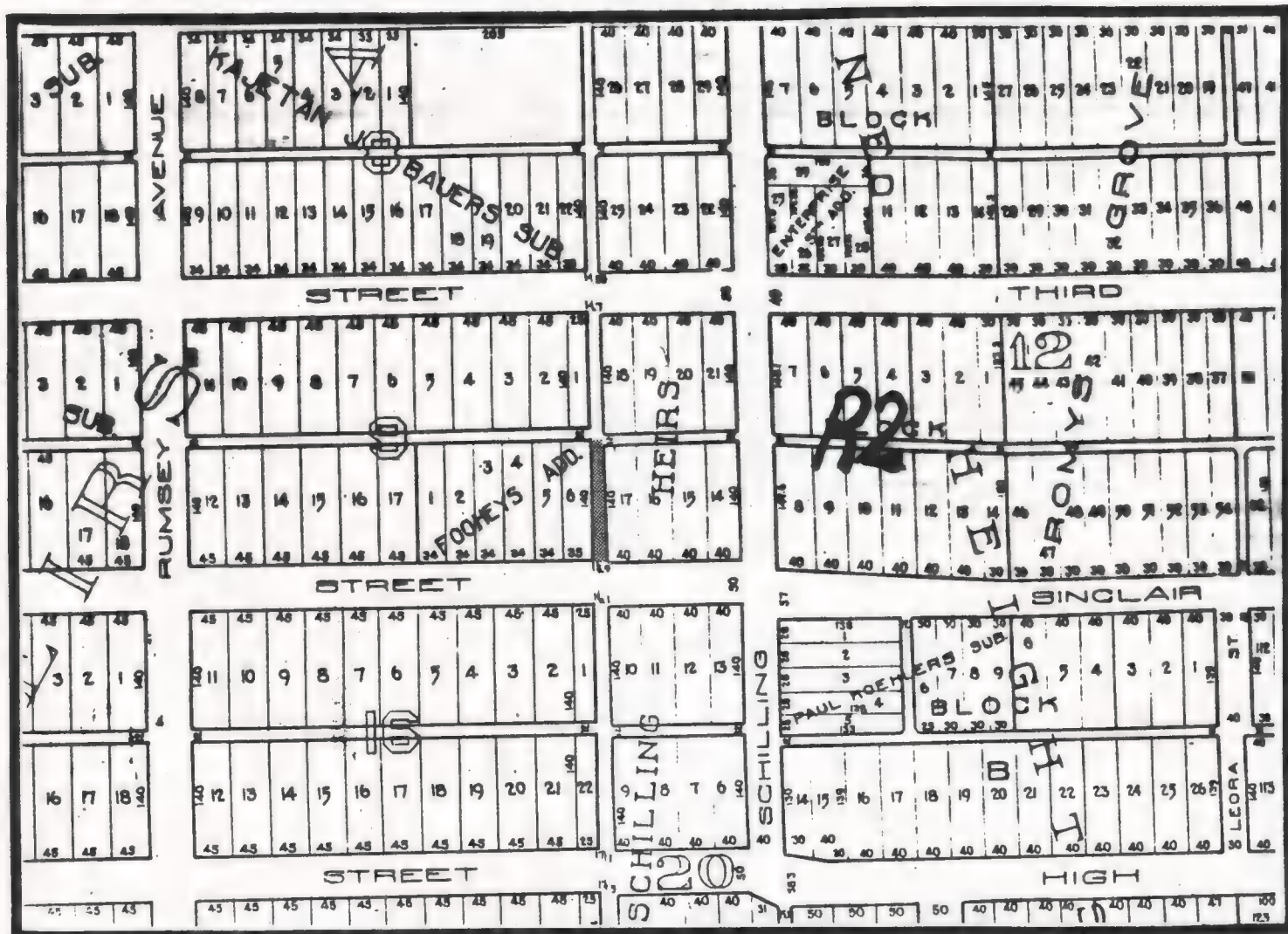
# VACATION PETITION #139

A PETITION TO VACATE THE DESCRIBED PORTION OF ALLEY

MAP NO. K-10

BILL NO. G-85-09-17

GENERAL LOCATION MAP



Zoning:

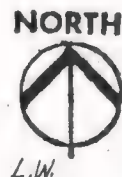
Land Use:

R-2 RESIDENTIAL DISTRICT

11

Scale: 1"=200'

Date: 7-29-85



**FACT SHEET**

G-85-09-17

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Alley Vacation Ordinance

**DETAILS****Specific Location and/or Address**

Portion of North/South alley lying between  
Third & Sinclair Streets.

**Reason for Project**

To prevent traffic from using as a shortcut.

**Discussion (Including relationship to other Council actions)**

September 16, 1985 - Public Hearing

Jack Lawson, attorney representing the petitioners stated that they were requesting the petition because there is a significant amount of "short cut" traffic using this particular section of alley. Mr. Lawson stated that it does constitute a traffic hazard, as well as a pedestrian hazard. He stated that the alley is not significant or useful for any purpose other than easement uses for utilities. He stated that they have no problem with affording easements to the utilities requesting them. He stated that if vacation, it will be fenced off in order to prohibit traffic flow. He stated that he had spoken with the president of the Neighborhood Association and she indicated that the traffic using this alley has been a significant problem.

Mel Smith questioned how the garbage would be picked up in this alley.

Mr. Lawson stated that there is access from the alley to the north, which will be utilized for that purpose.

**POSITIONS****RECOMMENDATIONS****Sponsor**

City Plan Commission

**Area Affected**

City Wide

Other Areas

**Applicants/  
Proponents**

**Applicant(s)**  
Daniel E. Hoagland  
Jerry McDermott  
City Department

Other

**Opponents****Groups or Individuals**

Anthony H. Berghoff

**Basis of Opposition**

-felt it did not serve the  
public interest

**Staff  
Recommendation**☒ For ☐ Against

Reason Against

**Board or  
Commission  
Recommendation****By**☒ For ☐ Against  
☐ No Action Taken☐ For with revisions to conditions  
(See Details column for conditions)**CITY COUNCIL  
ACTIONS  
(For Council  
use only)**

<input type="checkbox"/> Pass	<input type="checkbox"/> Other
<input type="checkbox"/> Pass (as amended)	<input type="checkbox"/> Hold
<input type="checkbox"/> Council Sub.	<input type="checkbox"/> Do not pass



# DETAILS

Mel Smith read a letter of remonstrance from Mr. Anthony Berghoff into the record.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

September 23, 1985 - Business Meeting

Motion was made to approve the vacation request. Of the 7 members present 6 voted in favor of the vacation one (1) did not vote. Motion carried to approve.

## POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date June 28, 1985

Projected Completion or Occupancy

Date September 24, 1985

Fact Sheet Prepared by

Patricia Biancaniello

Date September 24, 1985

Reviewed by

*Larry Burton*

Date 9/25/85

Reference or Case Number

ORIGINAL

DIGEST SHEET

ORIGINAL

Admn. Appr. \_\_\_\_\_

TITLE OF ORDINANCE Alley Vacation Ordinance 85-09-17

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE A portion of a north-south alley lying between  
Sinclair And Third Streets.

EFFECT OF PASSAGE Property is presently public right-of-way. Property will  
will revert to adjacent property owners for their private use.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_



BILL NO. G-85-09-17

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating an  
alley thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

YES

NO

Charles B. Redd

CHARLES B. REDD  
CHAIRMAN

Janet G. Bradbury

JANET G. BRADBURY  
VICE CHAIRWOMAN

James S. Stier

JAMES S. STIER

Ben A. Eisbart

BEN A. EISBART

Donald J. Schmidt

DONALD J. SCHMIDT

CONCURRED IN 10-22-85

SANDRA E. KENNEDY  
CITY CLERK